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Applicant:	Peter Krenn, et al.	Examiner:	Dolores R. Collins
Serial No.	10/644,408	Group Art Unit:	3722
Filed:	August 19, 2003	Docket No.	PA1046.ap.US
Title:	PRESHUFFLER FOR A PLAYING CARD SHUFFLING MACHINE		

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant	Peter Krenn, et al.	Examiner:	Dolores R. Collins
Serial No.	10/844,408	Group Art Unit:	3722
Filed:	August 19, 2003	Docket No.	PA1046.ap.US
Title:	PRESHUFFLER FOR A PLAYING CARD SHUFFLING MACHINE		

**MAIL STOP APPEAL BRIEF - PATENTS**


Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**The following documents are hereby submitted:**

- ☒ Appeal Brief to the Board of Patent Appeals and Interferences of the United States Patent and Trademark Office *25 pages*
- ☒ Authorization to withdraw \$510.00 for Appeal Brief Fee
- ☒ Transmittal Sheet
- ☒ Facsimile Cover sheet

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By:   
Atty: Mark A. Litman  
Reg. No. 26,390

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Krenn, et al.	Examiner:	Dolores R. Collins
Serial No.	10/644,408	Group Art Unit:	3722
Filed:	August 19, 2003	Docket No.	PA1046.ap.US
Title:	PRE-SHUFFLER FOR A PLAYING CARD SHUFFLING MACHINE		

**MAIL STOP: APPEAL BRIEF - PATENTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The U.S. Patent and Trademark Office is hereby authorized to debit any costs and fees associated with this Petition to Deposit Account No. 50-1391. Appellant(s) is submitting this single copy of the Appeal Brief in Compliance with the requirements of 37 CFR 41.37(c). Appellant requests a personal appearance at the Board of Appeals, but will defer payment of the fee until after receipt of the Examiner's Answer.

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: MAIL STOP: APPEAL BRIEF - PATENTS, P.O. BOX 1450, Commissioner for Patents, Alexandria, VA 22313-1450 NOVEMBER 28 2007

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**REAL PARTY IN INTEREST**

The real party in interest in this Appeal is the assignee of the full right, title and interest in this Application, Shuffle Master, Inc., having a place of business at 1106 Palms Airport Drive, Las Vegas, Nevada 89119-3730.

**RELATED APPEALS AND INTERFERENCES**

The Appellant(s), the legal representative prosecuting this application and Appeal, and the assignee are not aware of any Appeals or Interferences that will directly affect or have a bearing on the Board's of Patent Appeals and Interferences decision in this pending Appeal.

**STATUS OF CLAIMS**

The status of claims is:

- 1) Claims 1-15 have been finally rejected and are on Appeal.
- 2) Claims 16-24 are cancelled.
- 3) Claims 25-38 have been finally rejected and are on Appeal.

**STATUS OF AMENDMENTS**

No Amendment after final rejection was filed, so the claims are those presented in the Submission under 37 CFR 1.114 with the Request for Reconsideration filed 23 May 2007. All amendments filed during the prosecution of this Application have been entered, without objection.



**SUMMARY OF CLAIMED SUBJECT MATTER**

**MAPPING OF INDEPENDENT CLAIMS**

1. A device for shuffling cards comprising: a pre-shuffler; and a main shuffler, [Original Claim 1, paragraph [0014]] the pre-shuffler comprising: a plurality of compartments for holding groups of playing cards to be shuffled; [Original Claim 1, paragraphs [0015 - 0017]] and an output portion of the pre-shuffler, [Original Claim 1, paragraph [0010]] the output portion delivering one group of cards at a time to an input portion of the main shuffler, [Original Claims 1 and 16, paragraph [0023]] the pre-shuffler delivering groups of cards to an input portion of the main shuffler in a different order than an order inputted into the pre-shuffler, [Original Claim 1, paragraph [0009]] each group of cards being input separately as an entire group, [paragraph [0026]] so the main shuffler rearranges the order of cards input into the main shuffler and outputting cards in a substantially random order. [Original Claim 1, ABSTRACT, paragraph [0008]]

25. A device for shuffling cards comprising:

a pre-shuffler and a main shuffler, [Original Claim 1, paragraph [0014]]

the pre-shuffler comprising:

a plurality of compartments for holding groups of playing cards to be shuffled; [Original Claim 1, paragraphs [0015 - 0017]]

an output portion of the pre-shuffler, the output portion delivering one group of multiple playing cards at a single time, without shuffling cards in the one group, to an input portion of the main shuffler, [Original Claims 1 and 16, paragraph [0023]]

the main shuffler being capable of rearranging the order of the groups of multiple cards input into the main shuffler and for outputting cards in a substantially random order. [Original Claim 1, ABSTRACT, paragraph [0008]]

35. A device for shuffling cards comprising:

a platform of compartments; and [Original claims 1 and 6, paragraph [0015]]

a main shuffler, [Original claim 1, paragraph [0014]]

the platform of compartments comprising: a plurality of compartments for holding groups of playing cards in each compartment of the platform to be shuffled; [Original Claim 1, paragraphs [0015 - 0017]] and an output portion of the platform of compartments, the output portion delivering one group of cards at a time to an input portion of the main shuffler, [Original Claims 1 and 16, paragraph [0023]] the main shuffler for rearranging the order of cards input into the main shuffler from the platform of compartments and for outputting cards in a substantially random order, [Original Claim 1, ABSTRACT, paragraph [0008]] and the output portion selecting single groups of cards within a single compartment to be randomly delivered to the input portion of the main shuffler. [paragraph [0026]]

**GROUND OF REJECTION TO BE REVIEWED ON APPEAL**

Solely for the purposes of expediting this Appeal and complying with the requirements of 37 C.F.R. 1.192(c)(7), the following grouping of claims is presented. This grouping is not intended to constitute any admission on the record that claims within groups may or may not be independently asserted in subsequent litigation or that for any judicial determination other than this Appeal, the claims may or may not stand by themselves against any challenge to their validity or enforceability.

1) Claims 1, 3, 5-6, 11, 15, 25-27, 29-30, 33-38 34 have been rejected under 35 USC 102(e) as anticipated by Fineman, US Patent No. 5,944,230.

2) Claims 2, 4, 7-10, 12-14, 28 and 31-32 have been rejected under 35 USC 103(a) as unpatentable over Fineman, US Patent No. 5,944,230, when further considered with Johnson (US Patent No. 6,676,127).

### **ARGUMENT**

Before repeating in detail the arguments repeatedly made in previous responses, Appellants wish to point out that the rejection is so clearly in error that it cannot be comprehended how the **limitations in the claims** can be asserted to be taught by the references, especially under 35 USC 102(b). Appellants wish to especially point out Description 4 in the chart below.

All of the claims on Appeal require that the preshuffler **deliver one group at a time into the shuffler**. Fineman must deliver individual cards from each separate chamber at approximately the same time to function as required in the disclosure. These are different functions, with Fineman performing the **entire process of shuffling taught by Fineman** by requiring individual cards from different chambers to be dropped onto a support surface. The delivery of one card at a time by Fineman from each of a multiple number of chambers **does not and can not anticipate**

“...the output portion randomly delivering one group of cards at a time to an input portion of the main shuffler...”

where the term “groups” is defined in the claim as the set of cards in a single compartment. Fineman, as a matter of functioning according to his teachings, must deliver individual cards from multiple chambers at the same time. This is absolutely excluded from the limitations of the claims, does not anticipate the claims, and is so fundamental to the practice of Fineman that it cannot be eliminated from Fineman without destroying functionality of that system. The rejection is in error and must be withdrawn.

**It is instructive to look at the Figures of Fineman, especially Figures 2 and 6 to appreciate the impossibility of anticipation or obviousness of the claims of the present application.** In Figure 2 it can be seen that the sets of cards are deposited into the chambers 17 of the Fineman shuffler, but there is no separate shuffler. The entire system is a shuffler. The distribution of the cards into the chambers is not preshuffling, but an integral part of a shuffling operation and the only basis of shuffling enabled by Fineman. Fineman is a shuffler, **NOT** a pre-shuffler associated with a main shuffler as recited in the claims.

In Figure 6 of Fineman, the runners 47 are shown to be moveable to block and unblock passage of individual cards out of individual chambers. The Fineman shuffler can never pre-shuffle by delivery of one group at a time, but always must deliver one card at a time out of the individual chambers. If an entire group were delivered out of each chamber, there would be no

shuffling, destroying the purpose of the structure shown in Fineman. Rather the cards would be delivered to the playing surface 51 in the same order as inserted into each compartment of the shuffler.

If Fineman were used to practice the limitation in Claim 1 of "...the output portion randomly delivering one group of cards at a time to an input portion of the main shuffler,...", Fineman would merely allow all cards to fall through multiple slots or chambers, leaving them in the same order as placed into each chamber of the Fineman shuffler as shown in Figure 2.

**Claims 1, 3, 5-6, 11, 15, 25-27, 29-30 and 33-38 have been rejected under 35 USC 102(e) as anticipated by Fineman, US Patent No. 5,944,230.**

Claim 1 clearly recites that the pre-shuffler changes the order of the cards exiting as compared to an ordered insertion by randomly removing groups of cards, which Fineman does not and cannot do. It is imperative that a literal comparison of the recited limitations and elements of claim 1 be compared to the teachings of Fineman to appreciate the differences between the claimed subject matter and the disclosure of the reference. The claim is broken down into five distinct Descriptive sections (Desc.) for later discussion.

Desc. #	PRESENT CLAIM 1	Fineman	COMMENTS
1	1. (ORIGINAL) A device for shuffling cards comprising: a pre-shuffler; and a main shuffler,	The present invention is a card shuffler comprising a rectangular outer case and a rectangular inner case slidably disposed in the outer case. Col. 1, lines 55-57.	This structure looks vaguely similar to the claimed preshuffler, but in fact it is an essential part of the shuffler itself. <b><u>There is no combination of a shuffler and a preshuffler as claimed.</u></b>
2	the pre-shuffler comprising: a plurality of compartments for holding groups of playing cards to be shuffled;	The inner case has a plurality of separators that both divide the playing cards into portions of substantially equal number of cards and define compartments oriented at an angle to the direction of the inner slides in the outer case. Abstract	Again, this structure is vaguely similar <b><u>in appearance but not in function</u></b> to the preshuffler by itself, but is an integral and essential part of a single step shuffling operation and the shuffler itself. It is an integral part of the shuffler. It is not a preshuffler put into combination with a

			shuffler.
3	and an output portion of the pre-shuffler,	"...when the inner case is fully disposed in the outer case but permit ejection of the cards, one card from each compartment simultaneously,,," <b>Abstract</b>	This recited structure and function is indicative of the essential practice of a separate shuffling step by Fineman, and is not a preshuffling step. The individual cards of Fineman are deposited from the final collection of cards, thus shuffling is performed by the inner case. This is a shuffler, not a pre-shuffler and shuffler combination.
4	the output portion randomly delivering one group of cards at a time to an input portion of the main shuffler,	"...when the inner case is fully disposed in the outer case but permit ejection of the cards, one card from each compartment simultaneously,,," <b>Abstract</b>	The claim of Applicants requires random delivery of a group of cards (defined as the cards in one compartment). Fineman discloses delivering one card at a time from each group. <b>This is not anticipation or equivalence.</b>
5	the main shuffler for rearranging the order of cards input into the main shuffler and for outputting cards in a substantially random order.	In FIG. 6, the first card from each compartment 17 is shown as they landed on table surface 51. Also shown is the second card from each compartment in the process of being ejected from card shuffler 1. The remaining unshuffled playing cards are shown in their respective compartments 17. <b>Col. 2, lines 19-25</b>	Again, the inner case of Fineman is an integral and essential component of shuffling, not preshuffling. Furthermore, the cards are not "in a substantially random order." The order of cards provided by Fineman in the "shuffled set are always in a final order (as compared to the original order of: 1, 6, 11, 16, 21, 2, 7, 12, 17, 22, 3, 8, 13, 18, 23, 4...etc.

It can be seen why the Examiner has cited Fineman, as it shows a set of cards broken down in a structural section into smaller groups of cards on the top part of a shuffling device.

However, the structural section of Fineman shows a single step shuffling process that lacks a preshuffler associated with a shuffler that accomplishes a separate shuffling operation. The

support surfaces 23 of Fineman support cards which are then shuffled by removing cards one at a time from each compartment 17 defined by adjacent support surfaces 23.

The claims on Appeal as previously amended are constructed to recite that the shuffler must independently shuffle pre-shuffled groups of cards. The claim recites that randomly delivered "groups of cards" are then delivered into the shuffler and the shuffler provides a final set of cards in random order. As shown above, the Fineman structure does not perform these functions. **In simplest terms, there are no two distinct components of a pre-shuffler and a shuffler in Fineman.**

Fineman stores groups of cards in the compartments 17, and then delivers one card at a time in the same order inputted from each compartment 17 to form a shuffled set on the table surface 51. (See, for example, Figure 6 and Column 5, lines 1-24). There is no preshuffling and subsequent shuffling. The placement of the full set of cards into the separate compartments is not preshuffling, as no randomization is automatically achieved. That step is also performed in a single piece of apparatus, while the claims require two distinct components of a shuffler and a preshuffler. Additionally, Fineman does not deliver a Group of cards (defined by Description 2 as the cards in a single compartment), but delivers individual cards (not a group) one at a time simultaneously from each compartment (See Column 5, lines 11-18 where it is clear that cards are delivered "...one card at a time from each compartment 17 at substantially the same instant.").

The fact that the claim recites that the preshuffler contains multiple groups of cards and then randomly delivers groups of cards one at a time to the shuffler clearly distinguishes from what is taught by Fineman in the functioning of the Fineman system. That system contains multiple groups of cards and then **absolutely must deliver one card at a time from each compartment at the same instance. That cannot constitute anticipation as it is clearly different in function from preshuffling. This is true even without considering that these steps of Fineman are the shuffling operation of Fineman and the only shuffling operation of Fineman and cannot constitute two distinct functional sections or steps of the preshuffler and shuffler.**

Even if a rejection attempts to construe the operation of Fineman as a preshuffler, then the structure cannot meet the last limitation of claim 1. It is recited in claim 1 that the main chamber is "...for rearranging the order of cards input into the main shuffler and for outputting cards in a

substantially random order.” The cards output from the compartments of Fineman are deposited on the table surface (Figure 6) and are not then rearranged by a main shuffler. There is no such construction shown by Fineman.

Fineman shows removing cards from each of the groups of cards in the same order and at the same time from each of the groups. There is no removal of individual groups of cards at one time. There is always removal of multiple cards from multiple groups at one time by Fineman.

As claim 1 is not anticipated, no claim dependent therefrom can be anticipated by Fineman. Other dependent claims, as identified and highlighted below, further emphasize some of the features discussed above and further differentiate from the disclosure of Fineman because of the highlighted limitations:

3. The device of claim 1 wherein the pre-shuffler comprises an input card holder segmented into the compartments, the card holder being moveable with respect to the input portion of the main shuffler for delivering one group of cards at a time to the input portion of the main shuffler.

4. The device of claim 3 wherein the input card holder is moved substantially horizontally by a motor drive to position a group of cards with respect to the input portion of the main shuffler.

14. The device of claim 13 wherein the main shuffler comprises a plurality of card receptacles, the plurality of card receptacles being moveable relative to the input portion of the main shuffler and an output portion of the main shuffler, the main shuffler comprising a controllable drive for aligning card receptacles in a certain sequence with respect to the input portion of the main shuffler for receiving cards from the input portion, the drive randomly controlling the positioning of the card receptacles with respect to the output portion of the main shuffler, the output portion of the main shuffler receiving one or more cards from a card receptacle aligned with the output portion.



**Independent Claim 25 is Not Anticipated for at Least the Same Reasons and Limitations Identified with Respect to Claim 1**

<b>CLAIM 25</b>	<b>FINEMAN LACK OF DISCLOSURE</b>
A device for shuffling cards comprising: a pre-shuffler and a main shuffler, the pre-shuffler comprising:	<b>There is no separate shuffler and preshuffler.</b>
a plurality of compartments for holding groups of playing cards to be shuffled;	
an output portion of the pre-shuffler, the output portion delivering one group of multiple playing cards at a single time, without shuffling cards in the one group, to an input portion of the main shuffler,	<b>As there is no pre-shuffler, there cannot be output of a group of cards from a preshuffler to an input portion of a main shuffler.</b>
the main shuffler being capable of rearranging the order of the groups of multiple cards input into the main shuffler and for outputting cards in a substantially random order.	<b>As there is no pre-shuffler, distinct from the main shuffler, there is no separate component from the input compartments of Fineman for outputting cards in a random order.</b>

The only true similarity in structure between Fineman and the limitations of this claim is a plurality of compartments for holding groups of cards to be shuffled. The rejection is clearly in error and must be withdrawn.

**Independent Claim 35 is not Anticipated by Fineman**

Claim 35 (and claims 36-38, dependent therefrom) also contains the limitation that "...the output portion delivering one group of cards at a time to an input portion of the main shuffler,..." so that this claim, without mentioning that groups of cards are randomly selected from among the compartments in the preshuffler are randomly selected for deposition into the main shuffler. This is a function that is incapable of being performed by Fineman.

**Claims 2, 4, 7-10, 12-14, 28 and 31-32 have been rejected under 35 USC 103(a) as unpatentable over Fineman, US Patent No. 5,944,230, when further considered with Johnson (US Patent No. 6,676,127).**

The rejection is clearly in error as the starting point for the rejection (the teachings of Fineman as applied to claims 1) and 25) is in error. The addition of Johnson does not overcome the initial deficiency of a separate preshuffler and shuffler in collaborative operation. Fineman is a shuffler and Johnson is a distinct form of different shuffler.

A main purpose of the Johnson system is a device that can either organize cards into a sorted set (e.g., deck) of cards, sort multiple decks into separate and even ordered decks of cards, as well as providing a shuffling operation for one or more decks of cards.

Johnson describes the operation of the sorter/shuffler as follows:

- 1) a first set of cards is provided into a card supply area (12) (Abstract and Column 1, lines 60-63);
- 2) Individual playing cards are moved from the card supply and moved one-card-at-a-time as an identified card into a specific collector or storing means (column 1, line 63 through column 2, line 4);
- 3) After the cards (referred to as articles in portions of the Johnson description) are collated, all of the cards may be dumped into a collector tray or subsequently fed into one or more discrete groups (e.g., decks).

An important point to note is that each card is moved one-at-a-time so that each card can be identified, each card is inserted as a known and identified card into a specific compartment in a collator, and each card is removed from the collator, either randomly or sequentially into a final set as a specific ordered array.

In the first mode, the device of Johnson does not act as a shuffler, but a sorting device. In the second mode, cards must be moved one-at-a-time and not in groups, if the cards are to be read. In this second mode, the Johnson system is a complete shuffling system, and both the movement of individual cards out of the input area and the random deployment of cards from the carousel consist of a single shuffling step. There is no disclosure of preshuffling of groups of cards from the input area at a single time. In fact, the first step of moving and identifying cards in Johnson constitutes an element of an organizing step or at least an organizing facilitating step,

and not a preshuffling step, if any independent function is attempted to be imposed upon that action.

Johnson fails to overcome the deficiencies noted in the Fineman reference with regard to teaching the claimed subject matter. Neither reference shows a preshuffling step moving groups of cards, and neither reference shows moving groups of cards that have been preshuffled into a main shuffler. Both Fineman and Johnson are main shufflers.

**There is not any reasonable nexus for asserting it would be obvious to physically attach and align the shuffler of Fineman (which must deliver cards onto a flat, extended surface to work) with the shuffler of Johnson. In addition, the two distinct shufflers cannot be combined in any obvious method that would enable each to provide its own required functions. Fineman drops multiple cards along an extended flat surface, which is not existent as an entry feature of the shuffler of Johnson. It is physically impossible to combine the two shufflers of Fineman and Johnson without some drastic and undefined alteration of the structure of both shufflers.**

**CONCLUSION**

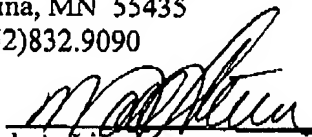
All rejections of record have been shown in detail to be in error. The rejection should be reversed and all claims should be indicated as allowable.

Applicants believe the claims are in condition for allowance and request reconsideration of the application and allowance of the claims. The Examiner is invited to telephone the below-signed attorney at 952-832-9090 to discuss any questions that may remain with respect to the present application.

Respectfully submitted,  
INVENTOR NAMES

By their Representatives,  
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Name: Mark A. Litman

Signature 

**CLAIMS APPENDIX**

1. (APPEALED) A device for shuffling cards comprising: a pre-shuffler; and a main shuffler, the pre-shuffler comprising: a plurality of compartments for holding groups of playing cards to be shuffled; and an output portion of the pre-shuffler, the output portion delivering one group of cards at a time to an input portion of the main shuffler, the pre-shuffler delivering groups of cards to an input portion of the main shuffler in a different order than an order inputted into the pre-shuffler, each group of cards being input separately as an entire group, so the main shuffler rearranges the order of cards input into the main shuffler and outputting cards in a substantially random order.
2. (APPEALED) The device of claim 1 wherein the pre-shuffler comprises an input card holder segmented into the compartments, the card holder supporting the cards on their edges.
3. (APPEALED) The device of claim 1 wherein the pre-shuffler comprises an input card holder segmented into the compartments, the card holder being moveable with respect to the input portion of the main shuffler for delivering one group of cards at a time to the input portion of the main shuffler.
4. (APPEALED) The device of claim 3 wherein the input card holder is moved substantially horizontally by a motor drive to position a group of cards with respect to the input portion of the main shuffler.
5. (APPEALED) The device of claim 1 wherein the pre-shuffler comprises an input card holder segmented into the compartments, wherein a group of cards in the pre-shuffler is positioned with respect to the input portion of the main shuffler for allowing the group of cards to be deposited into the input portion of the main shuffler.
6. (APPEALED) The device of claim 5 further comprising a platform supporting the input card holder, the platform having an opening, the holder being movable relative to the platform to allow a group of cards to be moved over the opening so as to fall through the opening and be delivered to the input portion of the main shuffler.

7. (APPEALED) The device of claim 6 wherein the input card holder comprises a rack having teeth, the pre-shuffler further comprising a pinion that engages the rack and is rotated to move the card holder relative to the input portion of the main shuffler.
8. (APPEALED) The device of claim 1 wherein the compartments comprise five or more compartments.
9. (APPEALED) The device of claim 1 wherein the compartments comprise between five and nine compartments.
10. (APPEALED) The device of claim 1 wherein each compartment holds at least 52 cards.
11. (APPEALED) The device of claim 1 wherein the input portion of the main shuffler comprises an input tray of the main shuffler.
12. (APPEALED) The device of claim 1 wherein the input portion of the main shuffler comprises an input tray, the main shuffler further comprising rotating rollers for forwarding one card at a time from a top of a group of cards in the input tray to a randomizer.
13. (APPEALED) The device of claim 1 wherein the input portion of the main shuffler comprises an input tray, the main shuffler further comprising rotating rollers for forwarding one card at a time from a top of a group of cards in the input tray to selected card receptacles in a randomizer.
14. (APPEALED) The device of claim 13 wherein the main shuffler comprises a plurality of card receptacles, the plurality of card receptacles being moveable relative to the input portion of the main shuffler and an output portion of the main shuffler, the main shuffler comprising a controllable drive for aligning card receptacles in a certain sequence with respect to the input portion of the main shuffler for receiving cards from the input portion, the drive randomly controlling the positioning of the card receptacles with respect to the output portion of the main

shuffler, the output portion of the main shuffler receiving one or more cards from a card receptacle aligned with the output portion.

15. (APPEALED) The device of claim 14 wherein the output portion of the main shuffler receives all cards from a card receptacle before the card receptacles are moved to align another card receptacle with the output portion of the main shuffler.
16. (Cancelled)
17. (Cancelled)
18. (Cancelled)
19. (Cancelled)
20. (Cancelled)
21. (Cancelled)
22. (Cancelled)
23. (Cancelled)
24. (Cancelled)
25. (APPEALED) A device for shuffling cards comprising:  
a pre-shuffler and a main shuffler,  
the pre-shuffler comprising:  
a plurality of compartments for holding groups of playing cards to be shuffled;

an output portion of the pre-shuffler, the output portion delivering one group of multiple playing cards at a single time, without shuffling cards in the one group, to an input portion of the main shuffler,

the main shuffler being capable of rearranging the order of the groups of multiple cards input into the main shuffler and for outputting cards in a substantially random order.

26. (APPEALED) The device of claim 25 wherein the pre-shuffler comprises an input card holder segmented into the compartments, the card holder supporting the cards on their edges.

27. (APPEALED) The device of claim 25 wherein the pre-shuffler comprises an input card holder segmented into the compartments, the card holder being moveable with respect to the input portion of the main shuffler for delivering one group of cards at a time to the input portion of the main shuffler.

28. (APPEALED) The device of claim 27 wherein the input card holder is moved substantially horizontally by a motor drive to position a group of cards with respect to the input portion of the main shuffler.

29. (APPEALED) The device of claim 25 wherein the pre-shuffler comprises an input card holder segmented into the compartments, wherein a group of cards in the pre-shuffler is positioned with respect to the input portion of the main shuffler for allowing the group of cards to be deposited into the input portion of the main shuffler.

30. (APPEALED) The device of claim 29 further comprising a platform supporting the input card holder, the platform having an opening, the holder being movable relative to the platform to allow a group of cards to be moved over the opening so as to fall through the opening and be delivered to the input portion of the main shuffler.

31. (APPEALED) The device of claim 30 wherein the input card holder comprises a rack having teeth, the pre-shuffler further comprising a pinion that engages the rack and is rotated to move the card holder relative to the input portion of the main shuffler.



32. (APPEALED) The device of claim 25 wherein the compartments comprise five or more compartments.
33. (APPEALED) The device of claim 25 wherein each group is randomly selected for delivery to the input portion of the main shuffler.
34. (APPEALED) The device of claim 25 wherein groups of cards are delivered to the input portion of the shuffler sequentially.
35. (APPEALED) A device for shuffling cards comprising:  
a platform of compartments; and  
a main shuffler,  
the platform of compartments comprising: a plurality of compartments for holding groups of playing cards in each compartment of the platform to be shuffled; and an output portion of the platform of compartments, the output portion delivering one group of cards at a time to an input portion of the main shuffler, the main shuffler for rearranging the order of cards input into the main shuffler from the platform of compartments and for outputting cards in a substantially random order, and the output portion selecting single groups of cards within a single compartment to be randomly delivered to the input portion of the main shuffler.
36. (APPEALED) The device of claim 35 wherein the platform moves relative to the main shuffler.
37. (APPEALED) The device of claim 35 wherein the platform moves the compartments relative to the input portion of the main shuffler.
38. (APPEALED) The device of claim 37 wherein the platform aligns compartments in the platform of compartments randomly with the input portion of the main shuffler.

**EVIDENCE APPENDIX**

Neither Appellants nor their counsel in this Appeal are aware of any secondary or supplemental evidence submitted during the prosecution of this Application that must be considered by the Board of patent Appeals in this decision.

**RELATED PROCEEDINGS APPENDIX**

Neither Appellants nor their counsel on this Appeal are aware of any proceedings before the US Patent and Trademark Office or any US Judicial or Quasi-Judicial authority that relates directly towards any issues in this Appeal.